



September 21, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20510

Jeffrey A. Marks
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Nokia

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Re: *Notice of Ex Parte Presentation, Protecting the Privacy of Customers of Broadband and Other Telecommunications Services, WC Docket No. 16-106*

Dear Ms. Dortch:

On September 21, 2016, Brian Hendricks and Jeffrey Marks of Nokia met with (1) Commissioner Michael O’Rielly and Amy Bender, Legal Advisor to Commissioner O’Rielly; and (2) Claude Aiken, Legal Advisor to Commission Mignon Clyburn, regarding the Commission’s broadband privacy proceeding. Nokia’s Reply Comments and Technology Vision 2020 White Paper, submitted together in this proceeding on July 6, 2016, as well as the chart attached to this submission, served as the basis of both meetings.

As the focus of the meetings, the Nokia representatives discussed the Commission’s recognition that its proposed rules would permit, without an opt-in requirement, the ability to: (1) use, disclose, or permit access to customer information necessary to, or used in, the provision of the broadband service; (2) use, disclose or permit access to aggregate customer information; and (3) use customer information to market other communications-related services. Nokia agrees with the Commission that permitting use of customer information in each of these cases is consistent with the Communications Act and provides benefits to consumers and society. Conversely, unduly limiting these categories could have severe negative market impacts that would impede broadband performance and growth, which would disserve the public interest.

Aggregated, de-identified information paired with cutting-edge computing and analytics offers extreme value for informing network builds, civic planning, among other public goods. Real-time access to customer information is also critical to making the “personalized network experience” and other intelligent network technologies a reality, allowing Nokia and broadband providers to ensure a quality broadband experience to consumers. This will become increasingly important as consumer broadband demand competes with new market segments made possible by 5G and the Internet of Things, such as connected cars, low-latency industrial applications, and other uses yet to be imagined. Information regarding how consumers use their broadband services will be essential, as broadband providers and equipment makers make the network deployment and research and development investments needed to power broadband networks of the future.

The Nokia representatives also voiced their strong opposition to the Commission inserting itself into a decision by a consumer to allow use of his or her information in exchange for a discount or other value. It is up to a consumer how to value their own information and there is nothing wrong with a service provider – through data aggregation, analytics, etc. – creating more value using that data than it offers the customer in the short term. Of equal importance, looking at such a transaction in the short term is short-sighted. The value derived by service providers through use of customer data is part of the virtuous cycle of innovation, whereby value is created in all parts of the network chain. Carrier use of, and monetization of, customer information leads to network efficiencies, innovations and investment that will drive the future of wireless. These longer term benefits, and the harms of forgoing such benefits, are critical to the Commission’s consideration of a broadband privacy framework that will truly serve the public interest.

Please contact the undersigned with any questions in connection with this submission.

Respectfully submitted,

/s/ Jeffrey A. Marks

Jeffrey A. Marks

cc: Commissioner Michael O’Rielly
Amy Bender
Claude Aiken